

### REMARKS

The present document is submitted in response to the Office Action issued on January 30, 2008 in connection to the above referenced patent application. A three month petition for extension of time is submitted herewith. Claims 2-9, 11-18, 20, 21, 23-52 are pending. Claims 2, 3, 11, 12, 20, 23, 27, 30-32, 39-41, 48, 49 and 51 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Pub. No. 2004/0125730 issued to Yamamoto (Yamamoto). Claims 5-8, 14-17, 34-37, 43-46 were rejected under 35 U.S.C. §103(a) as obvious in view of Yamamoto in combination with U.S. Pub. No. 2001/0040867 issued to Onodera et al. (Onodera). Applicants note with appreciation that claims 4, 9, 13, 18, 21, 24-26, 28 and 29 were indicated as allowable if rewritten to remove dependencies from rejected claims. Reconsideration of the rejections in view of the remarks provided below is respectfully requested.

**Claims 2, 3, 11, 12, 20, 23, 27, 30-32, 39-41, 48, 49 and 51 were rejected under 35 U.S.C. §102(e) as anticipated by Yamamoto.** Applicants note that Yamamoto was filed on December 27, 2002, while the present application claims priority to Jun2 28, 2002. Therefore, as the present application has an earlier priority date than the filing date of Yamamoto, it is respectfully submitted that Yamamoto is not available as a §102(e) reference against the present application. A certified English translation of the priority document was submitted in a response to a restriction requirement filed on June 12, 2006. To expedite prosecution, a copy of the translated priority document is also submitted herewith.

**Claims 5-8, 14-17, 34-37, 43-46 were rejected under 35 U.S.C. §103(a) as obvious in view of Yamamoto in combination with Onodera.** It is respectfully submitted that Yamamoto does not qualify as prior art for the purposes of a §103 rejection for the reasons discussed above. Furthermore, it is submitted that Onodera by itself does not render claims 5-8, 14-17, 34-37, 43-46 obvious because it does not disclose various features of these claims. For example, with reference to claims 5-8, 14-17 and 34-37, Onodera does not disclose forming the visual image and recording the image formation information in the program area of the same optical disk. Furthermore, with reference to claims 43-46, Onodera does not disclose recording the image formation information

after the visual image is formed. For more detailed discussion of the deficiencies of Onodera with respect to the present claims, see the last Amendment for the present application (entered on December 7, 2007). Therefore, it is respectfully submitted that claims 5-8, 14-17, 34-37, 43-46 are patentable in view of all applicable cited art.

Accordingly, for the reasons discussed above, the present claims are believed to be in condition for allowance.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5790 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032038600.

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Respectfully submitted,

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